

A WATER RIGHTS CASE

Herriman Irrigation Company vs
Butterfield Mining Co.

DECIDED BY JUDGE HILES

BELLEVUE PUMP COMPANY VS.
SORENSEN & NELSON CO.

On Trial Before Judge Cherry With-
out a Jury—Mrs. Jennie Rance
Granted a Decree of Divorce on
the Grounds of Cruelty and Non-
Support—Verdict for Defendant
in Rich vs. Watson—Short Orders
and Notes.

Judge Hiles yesterday delivered
judgment in the case of the Herriman
Irrigation company against George W.
Kiel, the Butterfield Mining company
and others, which was tried and sub-
mitted a few weeks ago. The suit was
brought to determine the rights of the
parties to the waters of Butterfield
Creek on the eastern slope of the
Oquirrh range of mountains in Salt
Lake county.

His honor held that the plaintiff is
entitled to all the waters of Butter-
field creek flowing therein from nat-
ural sources and entitled to all the
waters in and flowing out of the Queen
and Butterfield tunnels into Butter-
field creek and deductions therefrom at
the headwaters of the creek to the
defendant Kiel, 10 per cent of the
Butterfield tunnel and 6 per cent of
the pipe line water.

His honor holds that a commission
or commissioners should be appointed
by the court to establish such requisite
appliance at the proper places and to
make such measurements and adjust-
ments as shall be required by the
plaintiff and defendant, according to
these findings.

A REPLEVIN SUIT.

Bellevue Pump Company vs. Soren-
son & Nelson Company.

Judge Cherry was occupied yester-
day in trying the case of the Bellevue
Pump & Sken Works company against
John E. Sorenson and others. South
Lee & Gray, representing the plaintiff
and Barlow Ferguson appearing for the
defendant. A jury was waived and
the case heard by the court.

The action was brought to have a
decree of the court for the recovery of
the possession of certain goods and
chattels alleged to have been sold to
the defendants under the firm name
of Sorenson & Nelson Company.

The plaintiff alleged that the Soren-
son & Nelson company represented to the
plaintiff that the company, in August,
1894, was in a sound and solvent
condition and that on these
representations the plaintiff sold and
delivered the goods to the defendant
company; that the representations were
untrue and that the goods were
fraudulently purchased by the
Sorenson & Nelson company with the
intent to fail and to increase its
assets for the purpose of making
unlawful preferences to its creditors.
The plaintiff learned of the alleged
fraud in the purchase it receded the
sale and demanded the return of the
goods.

The defendants denied all the
material allegations of the complaint
and alleged that the purchase of the
goods was made in good faith.
The hearing was postponed when
court adjourned until this morning
when the trial will be resumed.

MRS. RANCE'S DIVORCE.

Cruelty and Failure to Support the
Grounds.

Jennie Rance was granted a decree
of divorce from Samuel J. Rance in
Judge Hiles' court, Attorney A. T.
Schroeder appearing for the plaintiff
and Attorney J. H. Hurd for the de-
fendant. The grounds were cruelty
and non-support, and the plaintiff
alleged that as soon as her husband
had beat and abused her, she was
granted a decree of divorce and \$5
a month alimony.

Verdict for Defendant.

The jury in the case of E. E. Rich
vs. C. A. Watson et al., in which the
plaintiff sued to recover \$447, value of a
quantity of flour alleged to have been
wrongfully taken by the defendant,
brought in a verdict for the defend-
ant.

District Court Notes.

Pacific Lumber and Building com-
pany vs. James Hunter, Daniel M.
Hunter, administrator, substituted for
James Hunter.

M. S. Aschheim vs. Frank Kinkel et
al., transferred to Circuit court.

Samuel McIntyre vs. George Cris-
man; stricken from the calendar.

Utah National Bank vs. J. B. Forbes
et al.; stricken from the calendar by
order to reinstate the case of re-
instatement defendant given leave to
file supplemental answer.

J. M. Lapeley vs. Salt Lake Plumbing
company; motion to set aside order ap-
pointing receiver overruled.

Court Gullings.

Alfred Bateman, who is charged,
along with another party, with bur-
glarizing the thing yard at West Jer-
dan and stealing therefrom 50 bushels
of wheat, pleaded guilty before Judge
Cherry yesterday. He was held in
\$1,000 bonds, which he gave.

The case of Fred J. Kiesel vs. the
Home Insurance company has been
transferred from the Second Judicial
district of the county to the United
States district court in this city. The
plaintiff sued to recover \$7,000, claimed
to be due for a fire loss on his build-
ing at Ogden last September.

M. E. East, Jr., who is charged with
appropriating to his own use a rifle and
other property of the national guard,
of which he is a member, failed to put
in an appearance for trial before Judge
Cherry yesterday. His honor directed
the issuance of a bench warrant, and
he was brought in and placed under
\$100 bonds to appear for trial on Fri-
day.

A Point to Remember.

If you wish to purify your blood you
should take a medicine which cures
blood diseases. The record of cures by
Hood's Sarsaparilla proves that this
is the best medicine for the blood ever
produced. Hood's Sarsaparilla cures the
most stubborn cases and it is the
medicine for you to take if your blood
is impure.

HOOD'S PILLS are the best after-
dinner pill; assist indigestion, cure
headache, 25 cents.

Excursion Rates to Washington.

For the benefit of those desiring to
witness the inauguration of the next
president of the United States, the
Baltimore and Ohio railroad will sell
round trip tickets at one fare for the
round trip from all points on its lines
in Ohio, Indiana and Illinois. Tickets

Some people are "never
influenced by advertise-
ments."

That's right! That's right!
Don't you believe in any-
thing! and when we offer
to give you money back if
you don't like something—
for instance, *Schilling's Best*
tea—look out or we'll give
you a nicked quarter, or a
punched fifty-cent.

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throughout, equipped with Pullman
parlor and sleeping car service, and
such in the case of the latter, unsur-
passed. Information in detail
will be cheerfully furnished upon ap-
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Grand Central Station, Chicago.

A Schilling & Company
San Francisco

will be sold March 1, 2 and 3, valid
for return until March 3. Similar
return on O. R. R. will be sold by
all the railroad throughout the
west. In addition to being the short-
est and most direct line to Washing-
ton, the B. & O. passes through a
scenic route of unsurpassed magni-
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America. Passengers also have the
option of traveling via Akron and
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